10/664,660

April 13, 2004

Assistant Commissioner of Patents

Washington, DC 20231

PROTEST UNDER 37 CFR 1.291(a)

Re: Methods and apparatus for an advertisement display service

using metadata

US File 20040064833

Filed: September 19, 2003

Sirs:

Recently I found the above referenced patent filing and believe this filing has NOT issued in the U.S. The US File # is 20040064833

I am voicing an objection as a concerned third party and as a U.S. Citizen. The patent filing describes at great length an advertising delivery system dependent upon a database maintained (0007) at the client level (Digital Television [DTV] Set in a client-server ad delivery system. (0002) (0007) The appropriate ads are selected through comparison of programs' metadata (keywords) with user profile database (0008) (0009) (0015) The ad databases are created at the DTV from a remote server (0007) and updated (0011) at the DTV. Selecting a channel (0015) or show on television, which is tantamount to placing a URL or keyword into a browser locator window, then makes a match with ad database (0009) data maintained at the computer DTV in the remotely controlled and updated database and in the event a match is made by matching (Claim 1) program metadata to the ad database or user profile that contains voluntary user actions (0015) an appropriate advertisement is displayed. This is referred to as "pull" advertising as voluntary actions on the part of a user interacts with a preestablished database and a targeted ad is displayed.

This embodiment is described in Claims 1, 3, 4, 7, 9, 10 and others. Basing ad display based upon program selection comparisons, profiles or other voluntary users' actions is no different than selecting a URL in a browser or Keyword in a search engine. Whether a cable TV network or the internet (Claim 3) or both, both are electronic communication networks. The system is described in (0002) (0007) (0008) (0009) (0011) (0015) and others.

The abstract reads, "Methods and apparatus for an advertisement display service using metadata is disclosed. The method for providing a selective advertisement display comprises constructing a user's preference for television programs; analyzing and filtering metadata of advertisements based on said user's preference; storing the selected advertisements on digital television;

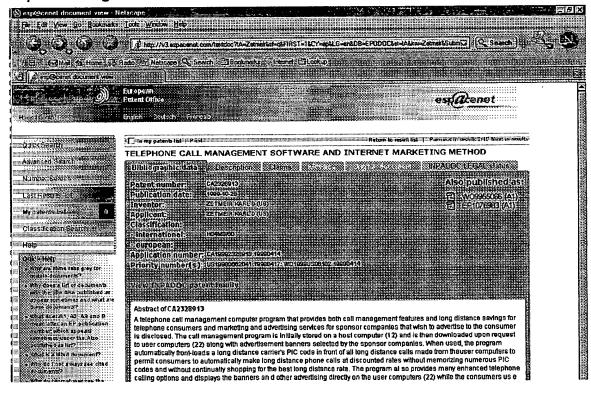
analyzing metadata of a program viewed by the user when the user watches television; matching the metadata of the program with the metadata of advertisements stored; and providing the most related advertisement in the form of banner, based on the result of the matching. Thus, the present system can provide a targeting service corresponding to each user's tastes without leaking user's personal information, by storing advertisements corresponding to the user's tastes beforehand and, subsequently, providing the advertisements related to a program viewed by the user in the form of a banner."

I am objecting to this patent filing, as it is neither novel nor unique. It is of particular note that little prior art was supplied; little prior art was submitted with this filing correlating to the internet, also an electronic communication system, and only some broad references to server profiling systems. The filers are correct that a targeted system based on program selections, user profiles, metadata keywords or voluntary user actions is more accurate and excels in its ability to deliver "relevant" ads at the exact moment of interest. However, the filers did not include the following references:

- 1. US Patent 6,141,010 ... similar technology
- 2. Gator.com (recently changed to Claria.com) has been marketing such a system since 1998 or 1999
- 3. WO9955066 (A1) or EP1076983 (A1) ... similar technology

There may be more prior art preceding the 9/3/2003 filing. The prior art listed all precede any references contained in this Application including the Korea patent filing.

I believe the Examiner should look very closely at the Claims made and reject this patent filing.



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Hoyle	Octobe	er 31, 2000
Computer interface metho	nd and apparatus with targeted advertising	
_	Abstract	
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A method and apparatus for pro-	roviding an automatically upgradeable software application that includes targeted advertising based upon demographics and The software application is a graphical user interface that includes a display region used for banner advertising that is downl	oaded from
time to time over a network suc	ch as the Internet. The software application is accessible from a server via the Internet and demographic information on the	user is
acquired by the server and used	d for determining what banner advertising will be sent to the user. The software application further targets the advertisemen ction, or use, of the computer. Associated with each banner advertisement is a set of data that is used by the software appli	tsmi cation in
determining when a particular b	panner is to be displayed. This includes the specification of certain programs that the user may have so that, when the user r	uns the
program (such as a spreadshee	t program), an advertisement will be displayed that is relevant to that program (such as an advertisement for a stock broke	rage). This
provides two-tiered, real-time t	targeting of advertising-both demographically and reactively. The software application includes programming that accesses	s the server

on occasion to determine if one or more components of the application need upgrading to a newer version. If so, the components are downloaded and installed

without requiring any input or action by the user.

